

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GREG KILLENS, ET AL.,

Plaintiffs,

v.

CITY OF OAKLAND, ET AL.,

Defendants.

Case No. C-05-01395 JCS

ORDER

**PETITION APPOINTING GUARDIAN AD
LITEMS FOR MINORS AND APPROVING
MINORS' COMPROMISE**

ORDER

PURSUANT TO PLAINTIFFS' PETITION, the Court hereby grants Plaintiffs' Petition according to the terms of the petition herein:

GREG KILLENS is hereby appointed the Guardian Ad Litem to prosecute the claims of Minor Plaintiffs KNK, KNK, and G.K., Jr.

The Court hereby approves the Petition to Compromise the Minors' claims, and orders as follows:

1 (1) a. Plaintiff KNK shall receive \$1,000.00 in settlement. Attorney fees from this
2 settlement shall be at 25% of the total recovery, or \$250.00. Litigation costs advanced by the
3 minor's attorney in the amount of \$340.13 shall be recovered by the minor's attorney from
4 the settlement proceeds. Minor Plaintiff KNK shall receive a net settlement of \$409.87. A
5 check or draft payable from the LAW OFFICES OF JOHN L. BURRIS to the order of
6 Petitioner GREG KILLENS as trustee for KNK is to be deposited in a blocked account at a
7 commercial depository whose deposits are insured by the FDIC or other regulatory agency,
8 in the name GREG KILLENS as trustee for said minor in the amount \$409.87.

9 b. Plaintiff KNK shall receive \$1,000.00 in settlement. Attorney fees from this
10 settlement shall be at 25% of the total recovery, or \$250.00. Litigation costs advanced by the
11 minor's attorney in the amount of \$340.13 shall be recovered by the minor's attorney from
12 the settlement proceeds. Minor Plaintiff KNK shall receive a net settlement of \$409.87. A
13 check or draft payable from the LAW OFFICES OF JOHN L. BURRIS to the order of
14 Petitioner GREG KILLENS as trustee for KNK is to be deposited in a blocked account at a
15 commercial depository whose deposits are insured by the FDIC or other regulatory agency,
16 in the name GREG KILLENS as trustee for said minor in the amount \$409.87.

17 c. Plaintiff G.K., Jr. shall receive \$1,000.00 in settlement. Attorney fees from
18 this settlement shall be at 25% of the total recovery, or \$250.00. Litigation costs advanced
19 by the minor's attorney in the amount of \$340.13 shall be recovered by the minor's attorney
20 from the settlement proceeds. Minor Plaintiff G.K., Jr. shall receive a net settlement of
21 \$409.87. A check or draft payable from the LAW OFFICES OF JOHN L. BURRIS to the
22 order of Petitioner GREG KILLENS as trustee for G.K., Jr. is to be deposited in a blocked
23 account at a commercial depository whose deposits are insured by the FDIC or other
24 regulatory agency, in the name GREG KILLENS as trustee for said minor in the amount
25 \$409.87.

26 (2) Within forty-eight (48) hours after receiving the checks or drafts mentioned in

1 Paragraph (1) the above portion of the settlement award allocated to each minor is to be deposited
2 in a blocked account at a commercial or savings bank in the name of Petitioners as trustee for said
3 minors, and is not to be withdrawn without first obtaining an Order of the Court. Any draft of
4 withdrawal is to show such endorsement. Bond is hereby waived. A copy of this Order shall be
5 delivered to payer forthwith. Attorney fees are not due or payable until such time as the balance of
6 the funds have been deposited pursuant to
7 the Order; and,

8
9 Upon receipt of the full amount of the settlement sum herein approved and the deposit of the
10 funds, Petitioner is hereby authorized and directed to execute and deliver to payer and defendants
11 CITY OF OAKLAND, RICHARD WORD, and TONY JONES, if Petitioner has not yet done so at
12 that time, a full, complete, and final Release and discharge of and from any and all claims and
13 demands of said minors by reason of the incident described in said Petition and the resulting
14 injuries and damages to said minor.
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18 Dated: March 15, 2006



HON. JOSEPH C. SPERO
UNITED STATES MAGISTRATE JUDGE